



Dkt. 58323/JPW/PT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Wayne A. Hendrickson and Barry Honig

Serial No.: 09/235,986

Examiner: Marianne P. Allen

Filed: January 22, 1999

Group Art Unit: 1631

For: PROCESS FOR PAN-GENOMIC DETERMINATION OF MACROMOLECULAR  
ATOMIC STRUCTURES

1185 Avenue of the Americas  
New York, New York 10036  
February 4, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT AND  
CERTIFICATION UNDER 37 C.F.R. §1.97(e)**

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicants hereby submit this Information Disclosure Statement.

The Examiner's attention is directed to the following references which are also listed on Form PTO-1449 attached hereto as **Exhibit A**, and were cited in a December 8, 2004 official Communication enclosing a Supplementary European Search Report in a corresponding European patent application. Copies of the references are attached hereto as **Exhibits 1-2**.

1. T. Gaasterland (April 1998) "Structural genomics taking shape", Trends in Genetics, Vol. 14, No. 4, page 135 (Exhibit 1); and
2. A. Sali (December 1998) "100,000 protein structures for the biologist", Nature Structural Biology, Vol. 5, No. 12, pages 1029-1032 (Exhibit 2).

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Applicants also submit herewith as **Exhibit B** a copy of the December 8, 2004 official Communication and Supplementary European Search Report in connection with corresponding European Patent Application No. EP 00 91 1615.

Other references cited in the Supplementary European Search Report are already of record in this application, and therefore are not listed on the Form PTO-1449 and copies of such other references are not being provided herewith.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(d), after the mailing date of a final Office Action. Applicants certify, pursuant to 37 C.F.R. §1.97(e)(1), that each item of information listed in the attached Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. The date of mailing of the Communication enclosing the Supplementary European Search Report is December 8, 2004, and therefore this Information Disclosure Statement is being timely filed, pursuant to 37 C.F.R. §1.97(d). The fee under 37 C.F.R. § 1.17(p) for filing an Information Disclosure Statement pursuant to 37 C.F.R. § 1.97(d) is ONE HUNDRED EIGHTY DOLLARS (\$180.00) and a check in that amount is enclosed.

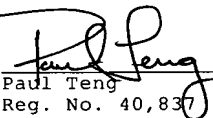
If a telephone conference would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

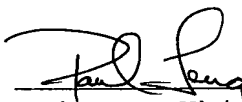
No fee, other than the enclosed \$180.00 fee under 37 C.F.R. § 1.17(p), is deemed necessary in connection with the filing of

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this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 Paul Teng Reg. No. 40,837	February 4, 2005 Date

  
John P. White, Reg. No. 28,678  
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<b>Form PTO-1449</b>	<b>U.S. Department of Commerce Patent and Trademark Office</b>	<b>Atty. Docket No.</b> 58323	<b>Serial No.</b> 09/235,986
<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		<b>Applicants:</b> Wayne A. Hendrickson et al.	
		<b>Filing Date:</b> January 22, 1999	<b>Group Art Unit:</b> 1631

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	T. Gaasterland (April 1998) "Structural genomics taking shape", Trends in Genetics, Vol. 14, No. 4, page 135 (Exhibit 1).
	A. Sali (December 1998) "100,000 protein structures for the biologist", Nature Structural Biology, Vol. 5, No. 12, pages 1029-1032 (Exhibit 2).
	December 8, 2004 official Communication and Supplementary European Search Report in connection with corresponding European Patent Appl. No. EP 04 25 0988 (Exhibit B).

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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 Exhibit A